

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION**

In re:

ALOYSIUS SMITH

CASE NO. 9:15-bk-07705-FMD

Debtor.

CHAPTER 13

**OBJECTION TO CONFIRMATION OF PLAN**

Creditor, Rushmore Loan Management Services LLC, by and through undersigned counsel, objects to Debtor's Plan and states:

1. Creditor holds a secured claim by virtue of its note and mortgage on the property located at 2353 Mayfield Ct, Naples, Florida 34105.
2. Creditor intends to timely file a Proof of Claim.
3. Debtor's Plan indicates an intention to mediate with Creditor through the Loss Mitigation Mediation Program.
4. Creditor has the right to inquire further into the Debtor's ability to be eligible for a loan modification either before or during the mediation process.
5. If a mediation is had and results in an impasse or denial of the modification, Creditor's claim should be paid in full or the property surrendered.
6. Moreover, Debtor's Plan should account for future taxes and insurance during the pendency of the potential mediation.
7. Creditor reserves the right to supplement this Objection, as necessary.

**WHEREFORE**, Creditor respectfully requests the Court sustain its Objection and for such other and further relief as the Court deems appropriate.

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was served by CM/ECF notice and regular mail to the parties below this 1st day of September, 2015.

**BUCKLEY MADOLE, P.C.**

*/s/ Austin M. Noel*

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